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*Pro Bono* Attorneys for Defendant Scott Daniel Warren

**UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA**

United States of America,	)	
	)	No. 17-mj-00341-RCC(JR)
Plaintiff,	)	
	)	<b>NOTICE OF DEFENSES</b>
vs.	)	
	)	
SCOTT DANIEL WARREN,	)	
	)	
Defendant.	)	
	)	

Defendant, Scott Daniel Warren, by and through his attorneys undersigned,  
Gregory J. Kuykendall, and Amy P. Knight, hereby provides notice to the  
government that he may present evidence of the following defenses at trial in this  
matter.

1. The defendant's conduct was protected by the Religious Freedom  
Restoration Act of 1993, as set forth in his previously filed motion to  
dismiss charges (Doc. 43), and this prosecution constitutes a substantial

1 burden on his exercise of his sincerely held religious beliefs.

2 2. The defendant acted out of necessity to prevent an imminent harm (the  
3 deaths of human beings crossing the Cabeza Prieta National Wildlife  
4 Refuge in the summertime) and no available options could similarly  
5 prevent that harm.  
6

7  
8 3. Defendant had insufficient notice that the alleged conduct was criminal,  
9 such that a conviction would violate his Fifth Amendment right to due  
10 process.  
11

12 RESPECTFULLY SUBMITTED this 27th day of March, 2019.

13 By /s/ Amy P. Knight

14 Gregory J. Kuykendall

15 Amy P. Knight

16 531 S Convent Avenue

17 Tucson, AZ 85701

18 Attorneys for Defendant Scott

19 Daniel Warren  
20

21 CERTIFICATE OF SERVICE

22 I certify that on March 27th, 2019, I electronically transmitted a PDF version  
23 of this document to the Clerk of Court using the CM/ECF System for filing. A  
24 paper copy of these documents has been mailed to:

25 Nathaniel J. Walters, Esq. (email: [Nathaniel.walters@usdoj.gov](mailto:Nathaniel.walters@usdoj.gov))

26 Anna R. Wright, Esq. (email: [anna.wright@usdoj.gov](mailto:anna.wright@usdoj.gov))

27 United States Attorney's Office

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